

Minneapolis City Planning Department Report

Rezoning Application & Variances BZZ-770

Date: October 21, 2002

Applicant: Project for Pride in Living (PPL)

Address Of Property: 1033 East Franklin Avenue

Date Application Deemed Complete: August 16, 2002

End of 60 Day Decision Period: October 15, 2002

End of 120 Day Decision Period: December 14, 2002

Applicant Waive 60 Day Requirement: Yes

Contact Person and Phone: Barbara McCormick 612-874-8511

Planning Staff and Phone: Gary Dorek

Ward: 6 Neighborhood Organization: Ventura Village

Existing Zoning: R2B - 2012 11th Avenue South C2- 1033 East Franklin

Proposed Zoning: C2 - 2012 11th Avenue South

Zoning Plate Number: 30

Legal Description: South 54 feet of north 60 feet of Lot 12, Block 2, Herricks Addition (2012 11th Avenue South)

Proposed Use: The rezoned property will be used for a 5-car surface parking lot serving the proposed development at 1033 East Franklin Avenue. The project includes renovation of the existing 2-story commercial building at 1033 East Franklin Avenue for use as the PPL headquarters and service center. The lot to be rezoned is currently vacant, and owned by the MCDA.

Concurrent Review: Rezoning from R2B to C2 for parking lot. Variance of required parking from 30 spaces to 5 spaces (77 total spaces required for 27,00 square foot building - 47 grandfathered spaces = 30 additional parking spaces required) 5 spaces in proposed surface lot. Variance of floor area ratio from 1.7 (allowed) to 2.04 (building with rezoned lot), or 2.59 (building without rezoned lot).

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Appropriate Section(s) of the Zoning Code: Chapters 525 and 548.

Background: The building at 1033 East Franklin Avenue was constructed in 1919, and was occupied by Oster Hardware and various office/retail tenants until 1959. In 1959 it was occupier by Arthur Hardware and other uses. The rezoned property (2012 11th Avenue South) would be used for a 5-car surface parking lot serving the proposed development at 1033 East Franklin Avenue. The project includes renovation of the existing 2-story commercial building at 1033 East Franklin Avenue for use as the PPL headquarters and service center. Approximately 70 employees will be moved from current PPL offices. The renovation will include remodeling of the basement space (previously used for storage) into space for offices, meeting room, break room, activity space, and storage. The lot to be rezoned is currently vacant, and owned by the MCDA, which supports the rezoning. Ventura Village has expressed concerns about the parking impact of the project, which includes a parking variance from 77 spaces (includes 47 grandfathered spaces) to 5 spaces. The City Attorney has certified the consent to the rezoning application by 2/3 of the property owners within 100' of the site. Both Ventura Village and Council Member Zimmerman requested that the hearing be continued from the September 9, 2002 Planning Commission meeting to the October 7, 2002 meeting to allow further discussions with the applicant (see attached letters). PPL requested a further continuance to the 10-21-02 CPC meeting, because they are attempting to lease parking spaces from other properties in the area (see attached letters). PPL has waived their right to a 60-day hearing (letter attached).

REZONING

Rezoning of vacant lot at 2012 11th Avenue South from R2B to C2 to allow accessory parking lot for office renovation at 1033 East Franklin Avenue.

Findings As Required By The Minneapolis Zoning Code:

1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.

This portion of Franklin Avenue is designated as a Commercial Corridor in the Marketplaces: Neighborhoods chapter of the Minneapolis Plan. Policy 4.4 indicates that Minneapolis should continue to provide a wide range of goods and services for residents, to promote employment opportunities, to encourage the use and adaptive re-use of existing commercial buildings. Renovation of an existing storefront commercial building for office use is appropriate in a commercial corridor.

2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.

The property is the north 54' of the platted lot that contains a dwelling at 2018 11th Avenue South. In their letter, Ventura Village indicates that the property owner at 2018 11th Avenue South (Steve Meldahl) has been attempting to purchase the property from MCDA, apparently without success. The parcel is too small (2,808 square feet) for a residential development, but could be used as side yard for the residence at 2018 11th Avenue South. The proposed rezoning to C2, in order to permit an accessory commercial parking lot, is in the interest of the applicant.

3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.

The proposed office remodeling project is adjacent to the north side of the lot, and that property is zoned C2. Across 11th Avenue to the east, the property is owned by the American Indian Business Development Corporation (AIBDC), and contains commercial uses, including Ancient Trader's Market and Maria's Café. The property to the west is residential, and is zoned R2B. The south portion of the lot is residential, and is zoned R2B. Although the proposed parking lot will be screened and landscaped according to regulations, use of the parcel as side yard for the existing residential use would be more compatible with residential uses than would a small commercial parking lot.

4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.

The property is zoned R2B, but is too small to allow residential development. Current land subdivision regulations would not allow this property to be subdivided from the balance of the lot at 2018 11th Avenue South. The only reasonable use of the property in its current zoning classification is as side yard for the adjacent residential use.

5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.

Many of the commercial properties fronting along East Franklin Avenue are undergoing renovation and improvement, including the AIBDC property on the east side of 11th Avenue. The south 1/2 of the block has been a stable residential area for decades, and is likely to remain residential in the future.

VARIANCES

Variance of required parking from 30 spaces to 5 spaces (77 total spaces required for 27,00 square foot building - 47 grandfathered spaces = 30 additional parking spaces required). Variance of floor area ratio from 1.7 (allowed in C2) to 2.04 (3-story building with rezoned lot), or 2.59 (3-story building without rezoned lot).

Findings Required by the Minneapolis Zoning Code:

- 1. The property can be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

Parking: The building has grandfather rights for 44 parking spaces, based on 18,000 square feet (1st & 2nd floors) of office use. The variance is required because the applicant wants to add uses to the basement. Zoning has determined that an additional 30 parking spaces would be required. The building could be used for 18,000 square feet of office use without the parking variance.

F.A.R.: The floor area ratio of the structure, based on use of the first and second floor is grandfathered at 1.73 (without the additional lot). The variance is required to add the basement space (9,000 square feet) to the project.

- 2. The circumstances are not unique to the parcel of land for which the variance is sought and have been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

Parking: The building was constructed in 1919, before there were parking requirements or parking problems. The building is a typical 2-story storefront office/commercial structure, built without accessory parking, and the variance is needed to utilize basement space. The basement was not intended for uses other than storage and mechanical space. The hardship is caused by the proposed increase in office space.

F.A.R.: The variance is caused by the desire to add approximately 9,000 square feet of useable space in the basement to the project.

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3. **The granting of the variance will not be in keeping with the spirit and intent of the ordinance and will alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

Parking: The intent of the ordinance is to provide adequate parking for a proposed use, and the protect the surrounding area from adverse impacts. Both on-street and off-street parking in the area is in short supply. Although the applicant indicates that only approximately 6 people will have basement office space, the variance will give the building future office parking rights for 77 spaces. The variance will exacerbate an already difficult parking situation in the neighborhood.

F.A.R.: The current C2 zoning allows the existing building without a F.A.R variance, which is needed to increase building beyond that typical in the C2 district.

4. **The proposed variance will substantially increase the congestion of the public streets, will not increase the danger of fire, may be detrimental to the public welfare, and could endanger the public safety.**

Both variances will add to the demand for parking in the area. PPL will be attempting to obtain shared or leased parking from area institutions, and will use Metropass to encourage employees to use public transit. The number of employees to be housed in the project, even if the variances are denied, may be the same. But increasing the parking rights of the building to 77 for this and similar future uses of the structure, puts great potential parking pressure on the neighborhood, and may make it difficult to deny similar requests in the future.

Recommendation Of The City Planning Department:

REZONING

The City Planning Department recommends that the City Planning Commission **deny** the application to rezone the property at 2012 11th Avenue South from R2B to C2.

VARIANCES

The City Planning Department recommends that the City Planning Commission **deny** the applications for variance of required parking from 30 spaces to 5 spaces (77 total spaces required for 27,00 square foot building - 47 grandfathered spaces = 30 additional parking spaces required). Variance of floor area ratio from 1.7 (allowed in C2) to 2.04 (3-story building with rezoned lot), or 2.59 (3-story building without rezoned lot) for the property at 2012 11th Avenue South from R2B to C2.